

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>ANTONIO SMITH, Inmate #20080062205,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 11-cv-614-JPG</b>
	)	
<b>TOM DART, et al,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	
	)	
	)	

**ORDER DISMISSING CASE**

**GILBERT, District Judge:**

On April 19, 2012, Plaintiff was ordered to provide the Court with his current address no later than May 17, 2012 (Doc. 7). Plaintiff clearly was warned in that Order that failure to do so could result in dismissal of this case. The Notice of Impending Dismissal was mailed to Plaintiff at the address on file with the Clerk's Office in this action – c/o Cook County Jail, P.O. Box 089002, Chicago, Illinois 60608.

On April 30, 2012, the Order was returned to this Court as undeliverable. The date to notify this Court of Plaintiff's change of address has passed, and Plaintiff has failed to do so. As a result, this action is **DISMISSED** without prejudice, for failure to comply with an Order of this Court. **FED. R. CIV. P. 41(b)**. *See generally Ladien v. Astrachan*, 128 F.3d 1051 (7<sup>th</sup> Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7<sup>th</sup> Cir. 1994). Plaintiff's obligation to pay the filing fee for this action was incurred at the time the action was filed, thus the filing fee of \$350 remains due and payable. *See* 28

U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998). The Clerk's Office is  
**DIRECTED** to close this case.

**IT IS SO ORDERED.**

**DATED: May 24, 2012**

*s/J. Phil Gilbert*  
**United States District Judge**